

RESOLUTION NO. 03-306

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING IMPROVING WESTLAKE PARKWAY FROM THE EAST LINE OF MAIZE ROAD TO THE WEST LINE OF DEN HOLLOW; WESTLAKE COURT SERVING LOTS 174 THROUGH 190, BLOCK 1, FROM THE NORTH LINE OF WESTLAKE PARKWAY TO AND INCLUDING THE CUL-DE-SAC; BRUSH CREEK CIRCLE SERVING LOTS 147 THROUGH 159, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; BRUSH CREEK COURT SERVING LOTS 160 THROUGH 173, BLOCK 1, FROM THE EAST LINE OF BRUSH CREEK CIRCLE TO CUL-DE-SAC; DEN HOLLOW FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE WEST LINE OF LOT 5, BLOCK 3; DEN HOLLOW CIRCLE SERVING LOTS 130 THROUGH 141, BLOCK 1 FROM THE NORTH LINE OF DEN HOLLOW TO CUL-DE-SAC; WILD THICKET FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE WEST LINE OF LOT 5, BLOCK 3; WILD THICKET COURT SERVING LOTS 120 THROUGH 129, BLOCK 1 FROM THE NORTH LINE OF WILD THICKET TO CUL-DE-SAC; GREY MEADOW FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE EAST LINE OF FLAT CREEK; GREY MEADOW COURT SERVING LOTS 80 THROUGH 94, BLOCK 1 FROM THE NORTH LINE OF GREY MEADOW TO CUL-DE-SAC; FLAT CREEK FROM THE WEST LINE OF GREY MEADOW TO THE SOUTH LINE OF LOT 79, BLOCK 1; FLAT CREEK COURT SERVING LOTS 60 THROUGH 70, BLOCK 1 FROM THE NORTH LINE OF GREY MEADOW TO CUL-DE-SAC; FLAT CREEK COURT SERVING LOTS 71 THROUGH 77, BLOCK 1 FROM THE NORTH LINE OF FLAT CREEK COURT TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 19 THROUGH 45, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 10 THROUGH 18, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 1 THROUGH 9, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 1 THROUGH 13, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 14 THROUGH 27, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 28 THROUGH 41, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; AND PAVING AN EMERGENCY ENTRANCE CONNECTING DEN HOLLOW COURT TO WESTLAKE PARKWAY WITH GATING AND SIGNING, (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 472-83791, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF IMPROVING WESTLAKE PARKWAY FROM THE EAST LINE OF MAIZE ROAD TO THE WEST LINE OF DEN HOLLOW; WESTLAKE COURT SERVING LOTS 174

THROUGH 190, BLOCK 1, FROM THE NORTH LINE OF WESTLAKE PARKWAY TO AND INCLUDING THE CUL-DE-SAC; BRUSH CREEK CIRCLE SERVING LOTS 147 THROUGH 159, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; BRUSH CREEK COURT SERVING LOTS 160 THROUGH 173, BLOCK 1, FROM THE EAST LINE OF BRUSH CREEK CIRCLE TO CUL-DE-SAC; DEN HOLLOW FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE WEST LINE OF LOT 5, BLOCK 3; DEN HOLLOW CIRCLE SERVING LOTS 130 THROUGH 141, BLOCK 1 FROM THE NORTH LINE OF DEN HOLLOW TO CUL-DE-SAC; WILD THICKET FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE WEST LINE OF LOT 5, BLOCK 3; WILD THICKET COURT SERVING LOTS 120 THROUGH 129, BLOCK 1 FROM THE NORTH LINE OF WILD THICKET TO CUL-DE-SAC; GREY MEADOW FROM THE NORTH LINE OF WESTLAKE PARKWAY TO THE EAST LINE OF FLAT CREEK; GREY MEADOW COURT SERVING LOTS 80 THROUGH 94, BLOCK 1 FROM THE NORTH LINE OF GREY MEADOW TO CUL-DE-SAC; FLAT CREEK FROM THE WEST LINE OF GREY MEADOW TO THE SOUTH LINE OF LOT 79, BLOCK 1; FLAT CREEK COURT SERVING LOTS 60 THROUGH 70, BLOCK 1 FROM THE NORTH LINE OF GREY MEADOW TO CUL-DE-SAC; FLAT CREEK COURT SERVING LOTS 71 THROUGH 77, BLOCK 1 FROM THE NORTH LINE OF FLAT CREEK COURT TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 19 THROUGH 45, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 10 THROUGH 18, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 1 THROUGH 9, BLOCK 1 FROM THE NORTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 1 THROUGH 13, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 14 THROUGH 27, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; WESTLAKE COURT SERVING LOTS 28 THROUGH 41, BLOCK 4 FROM THE SOUTH LINE OF WESTLAKE PARKWAY TO CUL-DE-SAC; AND PAVING AN EMERGENCY ENTRANCE CONNECTING DEN HOLLOW COURT TO WESTLAKE PARKWAY WITH GATING AND SIGNING, (NORTH OF 29TH STREET NORTH, BETWEEN MAIZE AND TYLER) 472-83791, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to improve Westlake Parkway from the east line of Maize Road to the west line of Den Hollow; Westlake Court serving Lots 174 through 190, Block 1, from the north line of Westlake Parkway to and including the cul-de-sac; Brush Creek Circle serving Lots 147 through 159, Block 1 from the north line of Westlake Parkway to cul-de-sac; Brush Creek Court serving Lots 160 through 173, Block 1, from the east line of Brush Creek Circle to cul-de-sac; Den Hollow from the north line of Westlake Parkway to the west line of Lot 5, Block 3; Den Hollow Circle serving Lots 130 through 141, Block 1 from the north line of Den Hollow to cul-de-sac; Wild Thicket from the north line of Westlake Parkway to the west line of Lot 5, Block 3; Wild Thicket Court serving Lots 120 through 129, Block 1 from the north line of Wild Thicket to cul-de-sac; Grey Meadow from the north line of Westlake Parkway to the east line of Flat Creek; Grey Meadow Court serving Lots 80 through 94, Block 1 from the north line of Grey Meadow to cul-de-sac; Flat Creek from the west line of Grey Meadow

to the south line of Lot 79, Block 1; Flat Creek Court serving Lots 60 through 70, Block 1 from the north line of Grey Meadow to cul-de-sac; Flat Creek Court serving Lots 71 through 77, Block 1 from the north line of Flat Creek Court to cul-de-sac; Westlake Court serving Lots 19 through 45, Block 1 from the north line of Westlake Parkway to cul-de-sac; Westlake Court serving Lots 10 through 18, Block 1 from the north line of Westlake Parkway to cul-de-sac; Westlake Court serving Lots 1 through 9, Block 1 from the north line of Westlake Parkway to cul-de-sac; Westlake Court serving Lots 1 through 13, Block 4 from the south line of Westlake Parkway to cul-de-sac; Westlake Court serving Lots 14 through 27, Block 4 from the south line of Westlake Parkway to cul-de-sac; Westlake Court serving Lots 28 through 41, Block 4 from the south line of Westlake Parkway to cul-de-sac; and paving an emergency entrance connecting Den Hollow Court to Westlake Parkway with gating and signing, (north of 29th Street North, between Maize and Tyler) 472-83791.

Said pavement shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Three Million Thirteen Thousand Dollars (\$3,013,000.00)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **June 1, 2003**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

FOX RIDGE ADDITION

Lots 1 through 190, Block 1;

Lots 1 through 12, Block 2;

Lots 1 through 8, Block 3;

Lots 1 through 41, Block 4;

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis:

Lots 1 through 190, Block 1; Lots 1 through 12,, Block 2; Lots 1 through 8, Block 3; and Lots 1 through 41, Block 4; all within Fox Ridge Addition shall each pay 1/251 of the total cost payable by the improvement district.

Except when driveways are requested to serve a particular tract, lot, or parcel and shall be in addition to the assessment for other improvements. Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment

Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 1980 Supp. 12-6a01 et seq.

SECTION 8. Be it further resolved that the above-described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas June 10, 2003.

CARLOS MAYANS, MAYOR

ATTEST:

PAT GRAVES, CITY CLERK

(SEAL)